

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRS RECOVERY, Inc., a Virginia Corp. and
DALE MAYBERRY

Plaintiffs,

vs.

JOHN LAXTON, aka johnlaxton@gmail.com,
NORTH BAY REAL ESTATE, INC., *et. al.*

Defendants.

Case No.: 4:06-CV-07093 CW

**SUPPLEMENTAL DECLARARTION OF DR.
JOHN R. LEVINE IN SUPPORT OF MOTION
FOR SUMMARY JUDGEMENT**

I, John R. Levine, having been retained as an expert in this action, hereby submit the following Declaration:

I. MY QUALIFICATIONS.

My qualifications are enumerated in my Declaration of July 31, 2008, document 134 in this case.

II. DOCUMENTS AND DATA REVIEWED.

The documents, data and other information I have reviewed and considered in formulating this Declaration are:

1. The Declaration of Ellen Rony, dated August 13, 2008, document 141 in this case;
2. Verisign's 10-K form for the year 2000 filed with the Securities and Exchange Commission. Exhibit A includes the cover page and pages 7 through 16 and 29 of that document, as retrieved from the SEC web site at <http://edgar.sec.gov>;

3. Verisign's 10-K form for the year 2003 filed with the Securities and Exchange Commission. Exhibit B includes the cover page and page 28 of that document, as retrieved from the SEC web site at <http://edgar.sec.gov>; and

4. Verisign's 10-K form for the year 2007 filed with the Securities and Exchange Commission. Exhibit C includes the cover page and pages 30 and 52 of that document, as retrieved from the SEC web site at <http://edgar.sec.gov>.

III. GEOGRAPHIC LOCATION OF DOMAIN REGISTRARS AND REGISTRY.

1. Since 1993, all domain names ending with ".com" and ".net" have been under the control of the registry operated by Verisign Inc. or its corporate predecessors. The original registry operator was Network Solutions, Inc ("NSI"), which operated as an independent publicly owned company until mid-2000. In 2000, Verisign bought NSI and continued to operate it as a subsidiary. (See 2000 Verisign 10-K, page 16.)

2. Also in 2000, Verisign separated the *registry* function for ".com" and ".net" from the *registrar* function. The registry function is the master database for all domains in ".com" and ".net", while the registrar accepts orders from the public and passes them to the registry to be filled. Although NSI was originally the only registrar, since 1999 there have been competing registrars of which NSI is merely one of many. Verisign renamed the registry in 2000 to Verisign Global Registry Services (VGRS), and kept the NSI name for the registrar. (See 2000 Verisign 10-K, pages 7 through 12.)

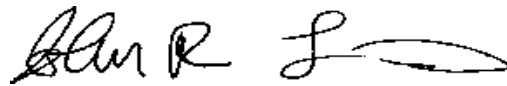
3. Although Ms. Rony is correct when she states that Verisign is headquartered in California, that is an irrelevant detail because NSI and VGRS have always been located in Virginia. In the 2000 Verisign 10-K, a table on page 29 lists all of Verisign's Major Locations. It lists VGRS at 21355 Ridgetop Circle, Dulles, VA. The California locations are used for other functions, not including registry services. The 2003 10-K has a similar table on page 28, again placing VGRS at the same address during the time of the disputed transfer of RL.Com. A similar table on page 30 of the most recent 2007 Verisign 10-K uses the more general term

Internet Services Group for Dulles and other locations, but a sentence on page 52 describing the attribution of revenues to locations refers specifically to “domain names issued from the Dulles, Virginia, facility.” There is simply no question that the “.com” and “.net” registries are in Virginia and always have been.

4. Ms. Rony correctly notes that various parts of the Domain Name System (DNS) are located all over the world, but she is incorrect when she asserts that it cannot be said with certainty where the .COM and .NET data that Verisign collects in its registration system is stored; it’s stored at VGRS, which is in Virginia. She goes on to discuss the location of the root servers, which are completely irrelevant, since the roots do not contain information about individual domains such as RL.Com or Mat.net. Rather, they contain links to the actual servers for .COM, .NET, and about 200 other top-level domains. The actual .COM and .NET servers are, again, run by VGRS.

5. Domain names can be owned by people anywhere in the world, who can in turn use any of several hundred domain registrars located in countries all over the world. Domain owners can and do transfer domains between registrars in different states and different countries; I personally have used registrars in the United States, Canada, Germany, and France. The only physical location common to all domains in .COM and .NET, is the master .COM and .NET database originally maintained by NSI and since 2000 by VGRS in Virginia.

Dated: August 20, 2008, at Trumansburg, New York.

A handwritten signature in black ink, appearing to read "John R. Levine", written over a horizontal line.

DR. JOHN R. LEVINE